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FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FEB 14 2003

OFFICE OF
MANAGING DIRECTOR

Michael L. Horvath, Managing Partner
WZUM Radio
Horvath Broadcasting L.L.C.
Post Office Box 27
Monroeville, PA 15146

Re: Horvath Broadcasting L.L.C.
Station WZUM-AM, Carnegie, Pennsylvania
Request for Waiver of FY 2002 Regulatory Fee
Fee Control No. 0209268835579001

Dear Mr. Horvath:

This is in response to your request dated September 30, 2002, filed on behalf of Horvath Broadcasting, L.L.C. (Horvath) for a refund of the \$1,700.00 fiscal year (FY) 2002 regulatory fee for Station WZUM-AM, Carnegie, Pennsylvania. Our records reflect that Horvath has paid the FY 2002 regulatory fee.

In establishing a regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. The Commission therefore decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." *See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12759 (1995).* In reviewing a showing of financial hardship, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits, and considers whether the station lacks sufficient funds to pay the regulatory fee and maintain service to the public. Thus, even if a station loses money, any funds paid to principals, deductions for depreciation or similar items are considered funds available to pay the fees.

You have submitted a copy of a Horvath's 2001 U.S. Income Tax Form Schedule C ("Profit or Loss from Business (Sole Proprietorship)") (which is an attachment to Horvath's U.S. Income Tax Form 1040). Horvath's Schedule C indicates that Horvath suffered a financial loss in 2001 of over \$14,000.00, which was not offset by depreciation expense or payments to principals, and without regard to any deduction for the unidentified "Other" expenses in item 16(b) of Part II of that attachment. (We do not consider these expenses in considering Horvath's waiver request because they are unidentified and may constitute funds available to pay the fees.) We therefore grant your request for a refund of the \$1,700.00 regulatory fee for FY 2002.

RECEIVED MAR 04 2003

Michael L. Horvath, Managing Partner

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A check made payable to the maker of the original check and drawn in the amount of \$1,700.00, will be sent to you at the earliest practicable time. If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger".A small, stylized handwritten mark or logo, possibly a monogram or initials.

Mark A. Reger
Chief Financial Officer

Payment Transactions Detail Report

Date: 01/15/2003

BY: FEE CONTROL NUMBER

Fee Control
Number

Payor
Name

Fcc Account
Number

Payor
TIN

Received
Date

0209268836679001

HORVATH BROADCASTING L.L.C

WP00064024 0261857688

10/26/2002 00:00:00

PO BOX 27

MONROEVILLE PA 15146

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,700.00	\$1,700.00	1	0239	1	WZUM	HORVATH BROADCASTING L.L.C	151460027		\$1,700.00	1	PMT
Total										1	
										\$1,700.00	